IN THE SUPREME COURT OF THE STATE OF DELAWARE

STATE OF DELAWARE, No. 659, 2010 Defendant Below,

> Appellant, § Court Below – Superior Court

> > § of the State of Delaware,

§ in and for New Castle County v.

Cr.A. 1003017613

RONALDO WILLIAMS,

§ § § Plaintiff Below, Appellee.

> Submitted: September 14, 2011 Decided: September 21, 2011

Before STEELE, Chief Justice, HOLLAND, BERGER, JACOBS and **RIDGELY**, Justices, constituting the Court en Banc.

ORDER

This 21st day of September 2011, the Court having considered this matter after oral argument and supplemental memoranda filed by the parties has determined that the final judgment of the Superior Court should be affirmed on the basis of and for the reasons assigned by the Superior Court in its decisions dated September 15, 2010 and July 29, 2011.

NOW, THEREFORE, IT IS HEREBY ORDERED that the judgment of the Superior Court be, and the same hereby is, AFFIRMED.

BY THE COURT:

/s/ Randy J. Holland Justice